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49637 7590 02/23/2007 BERRY & ASSOCIATES P.C. 9255 SUNSET BOULEVARD SUITE 810 LOS ANGELES, CA 90069			EXAMINER BOUTAH, ALINA A	
			ART UNIT 2143	PAPER NUMBER
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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/826,733
Filing Date: April 04, 2001
Appellant(s): PALLIPURAM ET AL.

MAILED

FEB 23 2007

Technology Center 2100

Richard C. Irving
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed October 31, 2006 appealing from the Office action mailed July 3, 2006.

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(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,073,177	Hebel et al.	6-2000
6,636,873	Carini et al.	10-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claims 1-9 and 27-39 are rejected under 35 U.S.C. 102(e) as being anticipated by Hebel et al. "Heber" (U.S. 6,073,177).

Hebel teaches claims:

1. A communication system comprising: a server device (13) comprising a database (13a) and client software (11; also see col.3, lines 45-58), said database comprising information and said client software comprising instructions for performing a data synchronization compliant with said server (col.8, lines 10-34, "Data Synchronization"; fig.6B, 6C); and a first client device for performing data processing functions, said first client device for establishing a communication link with said server (col.4, lines 37-65, "Establishing a connection"; col.5, lines 15-34, "TCP/IP Two-way Connectivity"), for receiving a copy of said client software from said server in response to said communication link being established (abstract, figures 3; 6B and 6C; col. 4, lines 6-17; and col. 6, lines 32-67, "database replication), and for using the copy of said

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client software to perform the data synchronization with said server to obtain a portion of said information (abstract, figures 3; 6B and 6C; col. 4, lines 6-17; and col. 6, lines 32-67, "database replication) wherein: as a result of performing the data synchronization, the portion of the information on the first client device and in the database of the server are up-to-date. (col.7, line 13-col.8, line 34)

2. A communication system as described in Claim 1 wherein said first client device is also for erasing said client software after said data synchronization is performed. (See "Data Synchronization")

3. A communication system as described in Claim 1 wherein said first client device comprises a display screen and wherein said first client device is also for displaying said portion of said information on said display screen. (See "Table 14"; "Exception message string, which the client will display to the user")

4. Wherein said first device is also for erasing said portion of said information on the first client device. (It's inherent that the portion of information being erased after data synchronization; See "Data Synchronization")

5. Wherein said data synchronization comprises a query command. (col.4, lines 53-64)

6. A second client device for performing data processing functions, said second client device for establishing a communication link with said server, for receiving a second copy of said client software from said server in response to said communication link being established between said second client device and said server, and for using said second copy of said client software to perform a second data synchronization with said server to obtain a second portion of said information, wherein: as a result of performing the second data synchronization, the second portion of the information on the second client device and in the database of the server are up-to-date. (see fig.2, client 11-1, 11-2, 11-3, and 11-4)

7. wherein said second client device is also for erasing said second copy of said client software after said second data synchronization is performed with said second client device. (It is inherent that the portion of information being erased/deleted after data synchronization; See also "Data Synchronization")

8. A communication system as described in Claim 6 wherein said second client device comprises a display screen and wherein said second client device is also for displaying said second portion of said information on said display screen. (See "Table 14"; "Exception message string which the client will display to the user")

9. A communication system as described in Claim 1 wherein said first client device is a portable computer system and wherein said server is a web server. (it is inherent that the client device being a portable computer and the server being a web server)

27. A method comprising: maintaining, by a first device, a database and client software, the database comprising information and the client software comprising instructions for performing a data synchronization compliant with the first device; establishing a communication link between a second device and the first device; receiving a copy of the client software at the second device from the first device in response to the communication link being established; and using the copy of the client software at the second device to perform the data synchronization with the first device to obtain a portion of the information, wherein: as a result of performing the data synchronization, the portion of the information on the second device and in the database of the first device are up-to-date. (Claims 27-39 are similarly rejected as in claims 1-9)

28. The method of claim 27, further comprising: deleting the copy of the client software after performing the data synchronization. (Claims 27-39 are similarly rejected as in claims 1-9)

29. The method of claim 27, further comprising: displaying the portion of the information on a display screen of the second device. (Claims 27-39 are similarly rejected as in claims 1-9)

30. The method of claim 27, wherein using the copy of the client software at the second device to perform the data synchronization with the first device to obtain a portion of the information further comprises: executing a query command to obtain a copy of a document.

(Claims 27-39 are similarly rejected as in claims 1-9)

31. The method of claim 27, further comprising: establishing a communication link between a third device and the first device; receiving a second copy of the client software at the third device to perform a second data synchronization with the first device; using the second copy of the client software at the third device to perform the second data synchronization with the first device to obtain a second portion of the information, wherein: as a result of performing the second data synchronization, the second portion of the information on the third device and in the database of the first device are up-to-date. (Claims 27-39 are similarly rejected as in claims 1-9)

32. The method of claim 31, further comprising: deleting the second copy of the client software after performing the second data synchronization. (Claims 27-39 are similarly rejected as in claims 1-9)

33. The method of claim 27, wherein the first device is a server device and the second device is a portable processing device. (Claims 27-39 are similarly rejected as in claims 1-9)

34. A medium having recorded thereon a plurality of instructions for at least one processor, the medium comprising: instructions for establishing a communication link with a device; instructions for downloading a copy of client software from a database to the device in response to the communication link being established, the copy of the client software including instructions for performing a data synchronization; instructions for responding to communications from the device when the device is executing the instructions to perform the

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data synchronization to obtain a portion of information from the database, wherein: as a result of executing the data synchronization, the portion of the information on the device and in the database are up-to-date. (Claims 27-39 are similarly rejected as in claims 1-9)

35. The medium of claim 34, further comprising: instructions for deleting the copy of the client software after performing the data synchronization. (Claims 27-39 are similarly rejected as in claims 1-9)

36. The medium of claim 34, further comprising: displaying the portion of the information on a display screen of the device. (Claims 27-39 are similarly rejected as in claims 1-9)

37. The medium of claim 34, wherein the instructions for executing a data synchronization further comprises: a query command to obtain a copy of a document.

38. The medium of claim 34, further comprising: instructions for establishing a communication link with a second device; instructions for downloading a second copy of the client software to the second device in response to the communication link being established with the second device, the second copy of the client software including instructions for performing a data synchronization; instructions for responding to communications from the second device when the second device is executing the instructions to perform a second data synchronization to obtain a second portion of information from the database, wherein: as a result

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of executing the second data synchronization, the second portion of the information on the second device and in the database are up-to-date. (col.7, line 13-col.8, line 34)

39. The medium of claim 38, further comprising: instructions for deleting the second copy of the client software after performing the second data synchronization to obtain the second portion of the information from the database. (it is inherent that the portion of information being erased/deleted after data synchronization; See also "Data Synchronization")

Claims 10 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hebel in view of Carini (U.S. 6,636,873).

Hebel teaches the invention substantially as claimed, but fails to teach wherein said first client device is a wireless telephone device. Carini, however, discloses a computer system for synchronizing devices wherein the devices are web-enabled phones, i.e. wireless telephones, and personal digital assistants (PDA's) [Carini -Fig.4, col.3, lines 8-11 and lines 8-11 and lines 24-30 and col.5, lines 9-16) Both Hebel and Carini teaches systems for synchronizing various computers with information from other computers. Therefore, it would have been obvious to one having ordinary skill in the art at the time of the invention was made to incorporate the various mobile devices, including web-enabled phones, i.e. wireless telephones, and PDA's as taught by Carini into the invention of Hebel, in order to allow potentially geographically disseminated and disconnected users to synchronize the data stored on their mobile devices. (Carini - col.2, lines 58-62)

(10) Response to Argument

Appellant argues that Hebel fails to disclose using the received copy of client software to perform a data synchronization with the server to obtain a portion of information (included in a database) as required by claim 1. The Patent Office respectfully disagrees and submits that this is taught by Hebel as cited in the rejection. The abstract, for example, discloses a dynamic synchronization network wherein a plurality of workstations are coupled to a common server. The workstations are capable of generating data such as a design model or portions of a design model (herein interpreted as the software as claimed). The server stores a master or portions of design model and provides a copy to the workstations for review and update. The input from the workstations to the server is controlled by access locking to permit only selective access to the master copy at the server thereby keep synchronization. Col. 6, lines 33-67 of Hebel also discloses that there is a common piece of software used by all client workstations and the server to access a database. When a client workstation requests a connection to the server, it waits while the server writes its working database to the network file system. This copy of the project database is known as the synchronized database... the server then responds to the client workstation that it may read the database and complete the connection initialization... the client workstation, upon reading the synchronized database, creates a copy of local to the machine executing the client.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

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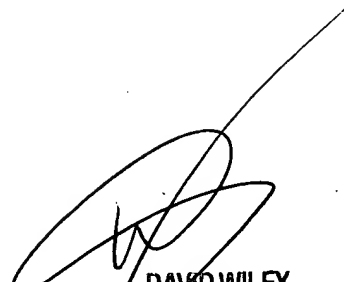
For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

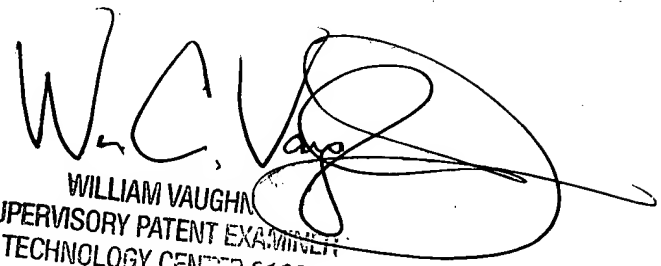
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